

REMARKS

This amendment is responsive to the prematurely Final Office Action of January 6, 2011. Reconsideration and allowance of claims 3, 6, 8-11, 13-26 are requested.

The Office Action

Claims 3-4, 6-11, 13, 14, 16-19, and 21-24 stand rejected under 35 U.S.C. § 103 over Lowell (US 6,292,687) as modified by Russell (US 6,493,581).

Claim 20 stands rejected under 35 U.S.C. § 103 over Lowell as modified by Russell, as further modified by Pike (US 6,459,371).

**The Finality of the Office Action
is Clearly Premature**

It is well established Patent Office precedent that when an Examiner makes a new ground of rejection against a claim which was not amended, then it is improper to make such rejection *Final*. In the last Amendment F, claim 24 was not amended. Because a dependent claim is read as including all of the subject matter of its parent claim, placing a dependent claim in independent form including all of the subject matter of its parent claims does not change the scope of the claim.

In prior Amendment F, claim 24 was placed in independent form by concatenating it with its parent claim 4. That is, the subject matter of claim 4 was added to dependent claim 24, in its entirety, and without modification. Thus, claim 24 was not amended in prior Amendment F.

Even though claim 24 was not amended, the Examiner made two new grounds of rejection against claim 24.

Accordingly, it is submitted that the *Finality* of the Office Action of January 6, 2011 is clearly premature and must be withdrawn.

35 U.S.C. § 112, First Paragraph

Claims 24-26 find antecedent basis in claims 2, 5, and 12 of the application as filed. Further, as explained at page 4, lines 3-12 of the present application, activating the navigation means to determine the routing of the emergency responder to the victim is triggered upon detection of a corresponding

interaction with the emergency device, e.g., the navigation means is activated only when someone picks up the device, saving energy. Because the navigation means which determines the routing is not activated until a responder interacts with the device, the emergency response device cannot determine the routing until an interaction between the emergency responder and the emergency response device is detected.

Accordingly, it is submitted that the claims comply fully with the requirements of 35 U.S.C. § 112, first paragraph.

**The Claims Distinguish Patentably
Over the References of Record**

Claim 11 calls for activating a navigation unit in response to detecting an interaction between the emergency responder and the emergency response device. In the Office Action at page 6, lines 14-18, the Examiner argues that Lowell functions in a manner which does not meet this claim limitation. Specifically, the Examiner argues that Lowell teaches that the guidance unit determines the routing as a part of the reception of the alarm signal so the guidance unit will immediately guide the emergency response person to the victim.

In particular, claim 11 calls for activating the navigation unit in response to interaction between the emergency responder and the emergency response device; whereas, the Examiner argues that Lowell activates the guidance unit on reception of the alarm signal so that the routing is immediately available to guide the emergency response person to the victim. Therefore, claim 11 recites at least one claimed element or limitation that is not disclosed in the cited reference. In particular, Lowell does not teach or suggest a navigation unit to be activated in response to detecting an interaction between the responder and the emergency response device. As the Examiner points out, an alarm signal is used in Lowell for activation. An alarm signal does not constitute detecting an interaction between the responder and the emergency response device, as claimed in claim 11.

Accordingly, it is submitted that that **claim 11 claims 13, 20-21, and 25 dependent therefrom** distinguish patentably and unobviously over the references of record.

Claim 14 calls for a navigation unit which, in response to detecting an interaction of the emergency responder with the emergency response device, determines a route for the emergency responder. On page 6 of the Office Action, the Examiner asserts that the guidance unit of Lowell does not work in the above-resided manner, but rather in response to the reception of the alarm signal. This fails to achieve the advantages set forth on page 4, lines 9-12 of conserving energy, which is particularly important in battery-powered units.

Because the applied references, even by the Examiner's interpretation of them, do not disclose or fairly teach all of the limitations of claim 14, it is submitted that **claim 14 and claims 3, 15, 16, 17, 23, and 26 dependent therefrom** distinguish patentably and unobviously over the references of record.

Claim 24 calls for a detector configured to activate the navigation unit in response to detecting an interaction between the emergency responder and the emergency response device such that the routing of the emergency responder to the victim based on the position information of the victim and position information of the emergency response device is not determined until an interaction between the emergency responder and the emergency response device is detected.

In the Response to Arguments section of the Office Action, the Examiner acknowledges that this limitation was not considered. Accordingly, it is submitted that **claim 24 and claims 6, 8-10, and 18-20 dependent therefrom** distinguish patentably over the references of record.

There being no prior art applied to **claims 25 and 26**, it is understood that **claims 25 and 26** contain patentable subject matter.

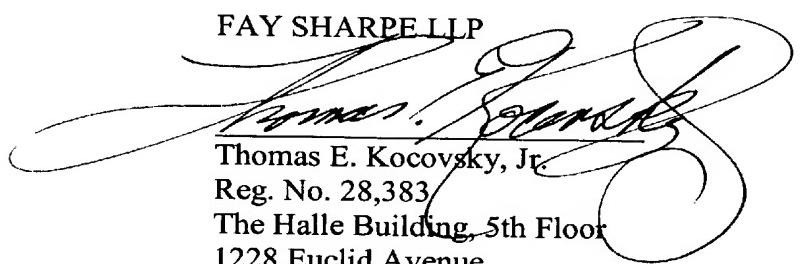
CONCLUSION

For the reasons set forth above, it is submitted that claims 24-26 comply with the requirements of 35 U.S.C. § 112 and that claims 3, 6, 8-11, and 13-26 distinguish patentably and unobviously over the references of record.

An early allowance of all claims is requested.

Respectfully submitted,

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